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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/679,819	10/06/2003	Robert R. O'Brien	50037.200US01	3404

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MERCHANT & GOULD (MICROSOFT)
P.O. BOX 2903
MINNEAPOLIS, MN 55402-0903

EXAMINER

DAILEY, THOMAS J

ART UNIT	PAPER NUMBER
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2152

SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
3 MONTHS	04/17/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

Office Action Summary

Application No.

10/679,819

Applicant(s)

O'BRIEN ET AL.

Examiner

Thomas J. Dailey

Art Unit

2152

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 07 February 2007.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-21 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-21 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

DETAILED ACTION

1. Claims 1-21 are pending in this application.
2. Claims 4, 5, and 15 were cancelled by the applicant's amendment received on February 7, 2007.

Response to Arguments

3. Applicant's arguments with respect to claims 1, 13, and 20, have been considered but are moot in view of the new ground(s) of rejection with regard to the addition of a plurality of voice mail switches and collective message access and alerts from several message stores.
4. The Applicant's argument with regards the personal unique identifier allowing association across a plurality of stores is not addressed in this Office Action as that or a similar limitation is not recited in the amended or rejected claim(s). The amended claims recite the notification server is associated with a plurality of voice mail switches and a personal unique identifier identifies a subscriber with the server.

Claim Objections

5. Claim 1 is objected to for a typographical error, "voice mail switches" (line 5) should read "voice mail switches." Appropriate correction is required.

Claim Rejections - 35 USC § 112

6. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

7. Claims 1-12 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.
8. Claim 1 recites on line 3, "A system...comprising: a voice mail switch..." (line 3). On line 4, it recites, "a notification server, coupled to a plurality of voice mail switches." It is unclear what the system comprises: a voice mail switch or a plurality of voice mail switches.

Claim Rejections - 35 USC § 103

9. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

- (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

10. Claims 1-3, 6-8, 10-14, 16-17, and 19-21 are rejected under 35 U.S.C. 103(a) as being unpatentable over Porter et al (US Pat 6,181,781 B1), hereafter "Porter," in view of Reding et al (US Pub No. 2004/0264654), hereafter "Reding."

11. As to claim 1, Porter discloses a system for notifying a subscriber about an event (Abstract), comprising:

- a voice mail switch (Fig. 3, label 380) that is configured to receive an event and an identifier associated with the event (column 1, lines 9-12 and column 2, lines 33-36, Porter's event is the "messages from incoming calls" and the identifier is the mail box number or phone number of the "subscriber", as in column 3, lines 15-20); and

- a notification server (Fig. 3, label 370) coupled to the voice mail switch that is configured to perform actions including:

- receiving the event and the identifier (column 1, lines 9-12, column 2, lines 33-36, and column 5, lines 45-47);

- generating a personal unique identifier (PUID) that identifies a subscriber registered with the notification server (column 3, lines 15-21, Porter's "mailbox number" reads on the PUID);

- correlating the identifier associated with the event with the PUID that identifies the subscriber registered with the notification server subscriber (column 5, lines 41-43);

- generating an alert (column 5, lines 47-54); and

sending the alert to the subscriber indicating that the event occurred
(column 5, lines 47-54).

But, Porter does not disclose the notification server is coupled to a plurality of voice mail switches. Rather, Porter's invention only explicitly relates to notification with one voice mail switch.

However, Reding discloses a voice mail notification server (Abstract) associated with a plurality of voice mail switches ([0068], as there are "a plurality of user devices" across different voice networks ([0030], lines 10-13) that can send voice mail notification messages, a plurality of voice mail switches is inherent).

Therefore it would have been obvious to one of ordinary skill in the art at the time of the invention to combine the teachings of Porter and Reding in order to provide timely notification of incoming voice mail's regardless the user's location ([0009]).

12. As to claim 13, Porter teaches a method for notifying a subscriber about an event (Abstract), comprising:

receiving an event and an identifier associated with the event at a voice mail switch (column 1, lines 9-12 and column 2, lines 33-36, Porter's event is the

“messages from incoming calls” and the identifier is the mail box number or phone number of the “subscriber”, as in column 3, lines 15-20);

forwarding the event and the identifier to a notification server(column 5, lines 45-47);

generating, on the notification server, a personal unique identifier (PUID) that identifies a subscriber registered with the notification server (column 3, lines 15-21, Porter’s “mailbox number” reads on the PUID);

correlating the identifier associated with the event with the PUID that identifies the subscriber registered with the notification server subscriber (column 5, lines 41-43);

generating an alert (column 5, lines 47-54); and

sending the alert to the subscriber indicating that the event occurred (column 5, lines 47-54).

But, Porter does not disclose the notification server is coupled to a plurality of voice mail switches. Rather, Porter’s invention only explicitly relates to notification with one voice mail switch.

However, Reding discloses a voice mail notification server (Abstract) associated with a plurality of voice mail switches ([0068], as there are “a plurality of user devices” across different voice networks ([0030], lines 10-13) that can

send voice mail notification messages, a plurality of voice mail switches is inherent).

Therefore it would have been obvious to one of ordinary skill in the art at the time of the invention to combine the teachings of Porter and Reding in order to provide timely notification of incoming voice mail's regardless the user's location ([0009]).

13. As to claim 20, it is rejected by the same rationale set forth in claim 13's rejection.

14. As to claims 2 and 14, Porter and Reding disclose the invention substantially with regard to the parent claims 1 and 13, and further disclose where the alert (Porter, Fig. 5, label 580) includes an event reference (Porter, Fig. 5, label 588) that links the subscriber to the event such that the subscriber can retrieve the event through a web portal view associated with a URL (Porter, column 12, lines 61-67 and column 13, lines 1-7).

15. As to claim 3, Porter and Reding disclose the invention substantially with regard to the parent claim 1, and further disclose where the notification server is further configured to generate a personal unique identifier (PUID) associated with the

subscriber (Porter, column 3, lines 15-21, Porter's "mailbox number" reads on the PUID).

16. As to claim 6, Porter and Reding disclose the invention substantially with regard to the parent claim 1, and further disclose a web service interface (Porter, Fig. 3, label 330) that is configured to allow the subscriber to register to receive the alert (Porter, column 5, lines 48-61).

17. As to claim 7, Porter and Reding disclose the invention substantially with regard to the parent claim 6, and further disclose a web service interface (Porter, Fig. 3, label 330) that is further configured to allow the subscriber to designate at least one destination where the alert is sent (Porter, column 5, lines 48-61).

18. As to claim 8, Porter and Reding disclose the invention substantially with regard to the parent claim 1, and further disclose where the notification server is further configured to log the event after the alert is generated (Porter, column 2, lines 33-36, Porter's act of storing the incoming message is logging the event).

19. As to claim 10, Porter and Reding disclose the invention substantially with regard to the parent claim 1, and further disclose where the identifier is a telephone number associated with the event (Porter, column 2, lines 33-36, it is well in the

art that an event, a telephone call in Porter's voice mail system (or any voice mail system), will have a telephone number to identify it).

20. As to claim 11, Porter and Reding disclose the invention substantially with regard to the parent claim 1, and further disclose where the event is at least one of: a voice mail message, a stock price, a sports score, a product delivery message, a fax, or telephone billing information (Porter, column 1, lines 9-12 and column 2, lines 33-36, Porter's event is the "messages from incoming calls").

21. As to claim 12, Porter and Reding disclose the invention substantially with regard to the parent claim 1, and further disclose where the voicemail switch comprises a data store (Porter, Fig 3, label 390) for storing the events (Porter, column 5, lines 32-39, events are the "messages from incoming calls" and are stored as "digitised stored messages").

22. As to claim 16, Porter and Reding disclose the invention substantially with regard to the parent claim 13, and further disclose determining if the subscriber is registered to receive the alert (Porter, column 2, lines 33-36, Porter's act of storing the incoming message is logging the event).

23. As to claim 17, Porter and Reding disclose the invention substantially with regard to the parent claim 13, and further disclose logging the event (Porter, column 2, lines 33-36).
24. As to claim 19, Porter and Reding disclose the invention substantially with regard to the parent claim 13, and further disclose sending the alert to at least one destination designated by the subscriber (Porter, column 5, lines 48-61).
25. As to claim 21, Porter and Reding disclose the invention substantially with regard to the parent claim 20, and further disclose a system comprising a means for linking the subscriber to the event through a network via a URL (Porter, column 12, lines 61-67), and a means for retrieving the event through a web portal view that is associated with the URL (Porter, column 12, lines 63-67 and column 13, lines 1-7).
26. Claims 9 and 18 are rejected under 35 U.S.C. 103(a) as being unpatentable over Porter in view of Reding, as applied to claims 1, 13, and 14 above in view of Guthrie et al. (US Pat. No. 6,161,185) hereafter "Guthrie".
27. As to claim 9, Porter and Reding disclose the invention substantially with regard to the parent claim 1, and further disclose where the notification server is configured to determine if the subscriber has registered to receive the alert

(Porter, column 5, lines 54-61) and discarding the event when the identifier does not correlate to the subscriber (it is well known in the art that if an event is received at voice mail system (or any subscriber system) that is not associated with a subscriber that event will be discarding).

Porter and Reding does not explicitly teach logging an attempt to correlate the identifier with the subscriber.

Guthrie teaches a server logging an attempt to correlate the identifier with the subscriber (column 13, lines 46-56).

Therefore it would have been obvious to one of ordinary skill in the art at the time of the invention to combine the teachings of Porter and Reding with Guthrie in order for an operator of Porter's system to have a greater understanding of the operation of the system, i.e. the operator will be aware of what the system has done even when they are not present, resulting in enhanced control of the system.

28. As to claim 18, Porter and Reding disclose the invention substantially with regard to the parent claim 13, and further disclose discarding the event when the identifier does not correlate to the subscriber (column 1, lines 9-12 and column 2, lines 33-36, it is well known in the art that if an event is received at voice mail

system (or any subscriber system) that is not associated with a subscriber that event will be discarding).

Porter and Reding does not explicitly teach logging an attempt to correlate the identifier with the subscriber.

Guthrie teaches logging an attempt to correlate the identifier with the subscriber (column 13, lines 46-56).

Therefore it would have been obvious to one of ordinary skill in the art at the time of the invention to combine the teachings of Porter and Reding with Guthrie in order for an operator of Porter's system to have a greater understanding of the operation of the system, i.e. the operator will be aware of what the system has done even when they are not present, resulting in enhanced control of the system.

Conclusion

29. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).
30. A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed

within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

31. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure:

Stern (US Pat 6,693,994) who teaches a master system for accessing multiple electronic message stores.

Porter (US Pat 5,963,918) who teaches a voice mail service using a voice processing system having a communications link to one or more voice mail systems.


32. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Thomas J. Dailey whose telephone number is 571-270-1246. The examiner can normally be reached on Monday thru Friday; 9:00am - 5:00pm.


33. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Bunjob Jaroenchonwanit can be reached on 571-272-3913. The fax

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phone number for the organization where this application or proceeding is assigned is 571-273-8300.

34. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.


TJD
4/11/2007


BUNJOB JARDENCHONWANIT
SUPERVISORY PATENT EXAMINER